

SB 5251 - S AMD 41

By Senators Kohl-Welles, Clements

ADOPTED 03/06/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 41.56.070 and 1975 1st ex.s. c 296 s 18 are each
4 amended to read as follows:

5 In the event the commission elects to conduct an election to
6 ascertain the exclusive bargaining representative, and upon the request
7 of a prospective bargaining representative showing written proof of at
8 least thirty percent representation of the public employees within the
9 unit, the commission shall hold an election by secret ballot to
10 determine the issue. The ballot shall contain the name of such
11 bargaining representative and of any other bargaining representative
12 showing written proof of at least ten percent representation of the
13 public employees within the unit, together with a choice for any public
14 employee to designate that he does not desire to be represented by any
15 bargaining agent. Where more than one organization is on the ballot
16 and neither of the three or more choices receives a majority vote of
17 the public employees within the bargaining unit, a run-off election
18 shall be held. The run-off ballot shall contain the two choices which
19 received the largest and second-largest number of votes. No question
20 concerning representation may be raised within one year of a
21 certification or attempted certification. Where there is a valid
22 collective bargaining agreement in effect, no question of
23 representation may be raised except during the period not more than
24 ninety nor less than sixty days prior to the expiration date of the
25 agreement. Any agreement which contains a provision for automatic
26 renewal or extension of the agreement shall not be a valid agreement;
27 nor shall any agreement be valid if it provides for a term of existence
28 for more than three years, except that any agreement entered into
29 between cities, counties, or municipal corporations, and their

1 respective employees, may provide for a term of existence of up to six
2 years.

3 **Sec. 2.** RCW 41.56.070 and 1975 1st ex.s. c 296 s 18 are each
4 amended to read as follows:

5 In the event the commission elects to conduct an election to
6 ascertain the exclusive bargaining representative, and upon the request
7 of a prospective bargaining representative showing written proof of at
8 least thirty percent representation of the public employees within the
9 unit, the commission shall hold an election by secret ballot to
10 determine the issue. The ballot shall contain the name of such
11 bargaining representative and of any other bargaining representative
12 showing written proof of at least ten percent representation of the
13 public employees within the unit, together with a choice for any public
14 employee to designate that he does not desire to be represented by any
15 bargaining agent. Where more than one organization is on the ballot
16 and neither of the three or more choices receives a majority vote of
17 the public employees within the bargaining unit, a run-off election
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19 received the largest and second-largest number of votes. No question
20 concerning representation may be raised within one year of a
21 certification or attempted certification. Where there is a valid
22 collective bargaining agreement in effect, no question of
23 representation may be raised except during the period not more than
24 ninety nor less than sixty days prior to the expiration date of the
25 agreement. Any agreement which contains a provision for automatic
26 renewal or extension of the agreement shall not be a valid agreement;
27 nor shall any agreement be valid if it provides for a term of existence
28 for more than three years, except that any agreement entered into
29 between school districts and their respective employees may provide for
30 a term of existence of up to six years."

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ADOPTED 03/06/2007

1 On page 1, line 2 of the title, after "agreement;" strike the
2 remainder of the title and insert "and amending RCW 41.56.070 and
3 41.56.070."

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